IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Bail Appl..No. 5939 of 2007()

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CRIME NO.78/2007 OF TIRUR POLICE STATION

: PETITIONERS/ACCUSED NOS.5 & 6:

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1. DINESHAN @ MANI, AGED 32 YEARS,
S/O. VELAYUDHAN, MARAKKAM PARAMBATH HOUSE,
VETTOM AMSOM, DESOM, VETTATHUKAVU, TIRUR.

2. BALAKRISHNAN, S/O. VELUKUTTY,
AGED 35 YEARS, NIRATHALA HOUSE, THALAKKAD AMSOM,
MANGATTIRI AMSOM.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: STATE:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM (CRIME NO.78 OF 2007 OF TIRUR
POLICE STATION).

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ALONG WITH B.A.NO. 5974/07ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.Nos. 5939 & 5974 of 2007

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Dated this the 3rd day of October, 2007

ORDER

These applications are for regular bail by the common petitioners. They are accused Nos. 1 and 2 in Crime No.252/2007 and accused Nos. 5 and 6 in Crime No.78/2007 both of the Tirur Police Station. They face allegations for offence punishable, inter alia, under Section 307 read with 149 IPC in both crimes.

2. The alleged incidents took place on 21.01.07 and 9.3.07 respectively. The petitioners were arrested on 23.8.07. They continue in custody in these cases from that date. The incident was one of the political violence between the NDF and the BJP/RSS. Investigation is not complete yet. Some of the co-accused have been released on bail, subject to appropriate conditions.

3. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioners subject to appropriate terms and conditions. Appropriate conditions can be imposed in the interests of fair, efficient and expeditious investigation and also the law and order situation in the locality.

4. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) The petitioners shall in each case execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months. Thereafter, they shall make themselves available for interrogation as and when directed by the investigating officer in writing to do so.

iii) During the said period of three months, the petitioners shall not enter the Sessions Division of Manjeri without the prior permission of the learned Magistrate, except for the purpose of complying with the condition No.ii above

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE